

REMARKS

This is in response to the Office Action mailed on December 23, 2008, in which claims 1-16 were considered. The abstract was objected to, claim 16 was rejected under 35 U.S.C. 101, claims 1, 3 and 7-16 were rejected under 35 U.S.C. 102(e), and claims 2 and 4-6 were objected to but indicated to be allowable if rewritten in independent form.

Amendments to Claims

With this Amendment, claims 1, 4-7, 9-11, 15 and 16 are amended, and claim 2 is canceled without prejudice. Claims 1, 11 and 15 are amended to include the limitations of claim 2, and claims 1, 4-7, 9-11, 15 and 16 are all amended for form, clarity and consistency.

Allowable Subject Matter

The Examiner's indication of allowable subject matter in claims 2 and 4-6 is gratefully acknowledged.

Objection to Abstract

The abstract was objected to for not being limited to a single paragraph. With this Amendment, the abstract is amended to be a single paragraph, and the objection to the abstract should accordingly be withdrawn.

Claim Rejections – 35 U.S.C. 101

Claim 16 was rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter for defining a signal with descriptive material. With this Amendment, claim 16 is amended to recite a method of producing a signal, which is a statutory process. The rejection of claim 16 under 35 U.S.C. 101 should accordingly be withdrawn.

Claim Rejections – 35 U.S.C. 102

Claims 1, 3 and 7-16 were rejected under 35 U.S.C. 102(e) as being anticipated by Kelly et al. (U.S. Pub. No. 2006/0093315).

With this Amendment, independent claims 1, 11 and 15 are amended to recite “wherein, for at least one of said encoded entities, said decoding means are activated prior to said composition time stamp, if a composition context associated with said encoded entity is identical to a current composition context.” This recitation incorporates the allowable limitation of dependent claim 2 (which recites that the method includes a step of “comparing a current composition context with said encoded entity, and said decoding step is anticipated when said comparison is positive.”) Therefore, independent claims 1, 11 and 15, as amended, recite the subject matter indicated by the Examiner to be allowable, and the rejection of independent claims 1, 11 and 15 under 35 U.S.C. 102(e) should accordingly be withdrawn.

Claim 2 has been canceled without prejudice. Claims 3-10 depend from amended independent claim 1, and claims 12-14 and 16 depend from amended independent claim 11. These claims are allowable at least by virtue of their dependency from an allowable base claim.

CONCLUSION

In view of the foregoing, all of the pending claims (1 and 3-16) are in condition for allowance. A Notice to that effect is respectfully requested.

The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 11-0982.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: March 13, 2009

By: /Alan M. Koenck/
Alan M. Koenck, Reg. No. 43,724
THE KINNEY & LANGE BUILDING
312 South Third Street
Minneapolis, MN 55415-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

AMK:jkh